

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION**

SHARON PHILLIPS,)
)
)
Plaintiff,)
)
)
v.) **CIVIL ACTION NO.**
)
)
FCA US LLC,)
)
)
Defendant.)

JOINT MOTION TO STAY CASE AND COMPEL ARBITRATION

COME NOW plaintiff Sharon Phillips ("Plaintiff") and defendant Santander Consumer USA Inc. d/b/a Chrysler Capital ("Defendant"), improperly named as FCA US LLC, by and through their undersigned counsel, and hereby move to stay this case and compel Plaintiff's claims to arbitration. In support thereof, the parties state as follows:

1. Plaintiff initiated this action by filing a Complaint on August 31, 2016. (Doc. 1.)
2. Defendant filed an Answer to the Complaint on October 6, 2016. (Doc. 6.) In Defendant's First Affirmative Defense, Defendant stated, "To the extent that Plaintiff has entered into an arbitration agreement that covers any of her

claims against Defendant, Defendant reserves the right to compel arbitration and does not waive that right by filing this Answer." (Doc. 6 at 9.)

3. Defendant has since located a copy of an arbitration agreement signed by Plaintiff, and Plaintiff has agreed to arbitrate her claims in this case under said agreement.

4. Accordingly, the parties jointly move to stay this action and compel Plaintiff's claims to arbitration.

WHEREFORE, premises considered, the parties respectfully request the Court to stay this action and compel this matter to arbitration.

Respectfully submitted this 18th day of October, 2016,

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CHRYSLER CAPITAL

CERTIFICATION OF COUNSEL

I hereby certify that the foregoing pleading has been prepared with Times New Roman, 14 point font, one of the font and point selections approved by the Court in LR 5.1C.

s/ Rachel R. Friedman _____

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CERTIFICATE OF SERVICE

I hereby certify that on October 18th, 2016, I presented the foregoing motion to the Clerk of Court for filing and uploading to the CM/ECF system, which will automatically send email notification of such filing to the following parties:

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I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

NONE

s/ Rachel R. Friedman

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